

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.14079 of 2019

Arising Out of PS. Case No.-14 Year-2013 Thana- CHHATAUNI District- East Champaran

BANAI SAHNI Son of Bhuneshwar Sahni R/o Village- Chhota Bariyarpur,
P.S.- Chhatauni, District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL ORDER

5 20-05-2019 Heard learned counsel for the parties.

The petitioner seeks regular bail in connection with S.Tr.
No.1463 of 2017 arising out of Chhatauni P.S.Case No.14/2013
dated 26.1.2013, registered for offences punishable under
Sections 341, 323, 324, 504, 34 of the Indian Penal Code and
later on Sections 307 and 302 of the IPC was added..

As per FIR, there is allegation against the petitioner and
other accused persons of assault to the deceased. It further
appears that earlier FIR was lodged under Section 341, 323,
324, 504 and 34 of the IPC and later on Section 307/302 of the
IPC was added on 21.9.2013 i.e. after eight months of lodging
of the FIR.

Submission of the learned counsel for the petitioner is
that there is general allegation against the petitioner and
Sections 307 and 302 of the IPC have been added after eight
months and no specific allegation has been attributed against
him and though he is an accused in five (05) other cases but in



those cases he is on bail as well as he is in custody since 7.12.2018.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail on the ground that he has criminal antecedent and the petitioner and other accused persons have assaulted the deceased causing his death and he died after eight months. .

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Miss Preeti, J.M. Ist Class, Motihari, District East Champaran in connection with S.Tr. No.1463 of 2017 arising out of Chhatauni P.S.Case No.14 of 2013 dated 26.1.2013, with condition to co-operate in the disposal of the trial and shall appear as and when required. .

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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